

2023:PHHC:110063

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

216

CRM-M-30068-2023

Date of decision : 23.08.2023

Mohit

..... Petitioner

versus

State of Punjab and another

..... Respondents

CORAM : HON'BLE MR. JUSTICE PANKAJ JAIN

Present: Mr. Rakesh Gupta, Advocate
for the petitioner.

Mr. Amit Shukla, AAG, Punjab.

PANKAJ JAIN, J. (Oral)

Present petition has been filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner in case bearing FIR No.423 dated 08.12.2021, registered for the offences punishable under Sections 120-B, 379-B, 392 and 411 of IPC, registered at Police Station Patran, District, Patiala.

2. Petitioner is stated to be behind bars for last more than 01 year, 08 months and 15 days. Investigation already stands completed and the challan stands presented. Charges stand framed and out of 13 witnesses, only 01 has been examined till date.

3. Counsel for the petitioner relies upon order dated 01.06.2023 passed in **CRM-M-16410-2022** and **CRM-M-17031-2022**, wherein co-accused namely Vikash and Sachin stand admitted to bail observing as under:-

2023:PHHC:110063

“xx xx xx

Evidently, the petitioners are behind bars since 09.12.2021. The amount of Rs.9,75,250/- as looted has been recovered on the very next date. There is nothing on record to show that the petitioners have any criminal antecedents. Out of total four accused, co-accused Anil Kumar has already been enlarged on bail by this Court vide order dated 30.03.2022. As submitted by learned State counsel, challan is presented and charges are framed, however, out of total 13 prosecution witnesses, only 01 witness has been examined so far. Needless to say that de hors the merits of the case, every accused has a right of speedy trial.

The trial of the case will take sufficiently long time. This Court would refrain itself from commenting anything on the merits of the case. However, keeping in view the custody period as well as the attending facts and circumstances of the case, this Court is of the opinion that learned counsel for the petitioners succeed in making out a case for grant of regular bail. Accordingly, the present petitions are allowed and the petitioners are ordered to be released on bail on their furnishing bail/surety bonds to the satisfaction of the concerned trial Court/Duty Magistrate. Nothing said herein shall be treated as an expression of opinion on the merits of the case.”

4. Keeping in view the parity and the incarceration already suffered by the petitioner, the present petition is allowed. Petitioner is ordered to be released on regular bail on his furnishing bail/surety bonds to the satisfaction of the Ld. Trial Court/Duty Magistrate, concerned.

2023:PHHC:110063

5. Needless to say nothing recorded herein shall be construed to be an expression of an opinion on the merits of the case.

(PANKAJ JAIN)
JUDGE

23.08.2023
Dinesh

Whether speaking/reasoned :	Yes
Whether Reportable :	No